



CDSS

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DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

January 31, 2017

Iliana Rodriguez, Director
San Mateo County Human Services Agency
1 Davis Drive
Belmont, CA 94002

Dear Ms. Rodriguez:

I want to take this opportunity to thank you and your staff for the cooperation and assistance provided to the reviewer from our office during the course of the Civil Rights Compliance Review of San Mateo County Department of Human Services. Enclosed is the final report on the review.

There are some compliance issues (deficiencies) identified in the report, which will require the development of a Corrective Action Plan (CAP). Please submit your CAP within 60 days of this letter. Please address each deficiency and include steps and time lines for the completion of all corrective actions and recommendations listed in the enclosed report.

Please submit your CAP in both hardcopy and, in an effort to comply with ADA website accessibility, we also require the CAP to be submitted electronically as a Word document via email at crb@dss.ca.gov.

We will provide a copy of your report to any individual who makes a valid Public Records Act (PRA) request. Our reports are considered public documents under the PRA. Once we approve your CAP, it becomes a public document as well. In addition, these documents are published on our website at <http://www.cdss.ca.gov/civilrights/PG2890.htm>.

If you need technical assistance in the development of your CAP, please feel free to contact Daniel Cervantes at (916) 654-2107. You may also contact us by e-mail at Daniel.Cervantes@dss.ca.gov.

Sincerely,

Original signed by Civil Rights Chief

JIM TASHIMA, Chief
Civil Rights Unit
Welfare to Work Division

Enclosure

c: Mario DeJesus , Civil Rights Coordinator

Kim McCoy Wade, Chief
CalFresh Policy Bureau

Carlos Ocampo, Chief
Field Operations Bureau

Tami Gutierrez, Chief
CalFresh Management Operations Section

Paul Gardes
CalFresh Policy Bureau

Jacqueline Hom
State Refugee Coordinator

Joe Torres, Office of Civil Rights
USDA Food and Nutrition Services
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Andrew Riesenber
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Kevin Aslanian
Coalition of California Welfare Rights Organizations, Inc.

Antoinette Dozier
Western Center on Law and Poverty

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
San Mateo County
Human Services Agency**

**Conducted
August 8-12, 2016**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
744 P Street, M.S. 8-16-70
Sacramento, CA 95814
(916) 654-2107**

**Reviewer:
Daniel Cervantes**

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the San Mateo County Department of Human Services with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on August 8, 2016 to August 12, 2016. An exit interview was held on August 12, 2016, to review the preliminary findings.

The review was conducted in the following locations:

Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
400 Harbor Blvd Belmont, CA 94002	Children's Services, CalWORKs, CalFRESH	Spanish
1487 Huntington Ave. S. San Francisco, CA 94080	Children's Services, CalWORKs, CalFRESH	Spanish
271 92nd St. Daly City, CA 94015	CalFRESH, CalWORKs	Spanish, Tagalog
2500 Middlefield Rd, Redwood City, CA 94063	Children's Services, CalWORKs, CalFRESH	Spanish

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2016 Civil Rights Compliance Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.
- Reviewed the previous Compliance Reviews and Corrective Action Plans submitted by the county.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections
- Discussions with community advocate group. In this review the following organization(s) were contacted for feedback.

Bay Area Legal Aid
ADMINISTRATIVE OFFICE
1735 Telegraph Avenue
Oakland, CA 94612
510-663-4755

There was no response from advocates in the planning of the review.

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	5	2
Children Social Workers	6	2
Adult Program Workers	6	3
Receptionist/Screeners	3	2
Total	20	9

Program Manager Surveys

Number of surveys distributed	4
Number of surveys received	4

Reviewed Case Files

English speakers' case files reviewed	10
Non-English or limited-English speakers' case files reviewed	48
Languages of clients' cases	English, Spanish, Tagalog, Cantonese, ASL, Russian, Mandarin

Sections III through IX of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section X evaluates the county's Call/Service Centers services provided to non-English speaking clients and clients with a disability.

Section XI reviews the county's compliance plan, and provides either approval of the plan as submitted, or lays out additional information to be submitted to gain approval.

Section XII highlights issues pointed out by Community Input and summarizes Reviewer Observations.

Section XIII of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate clients by flexing/extending their hours or allowing applications to be mailed in?	Yes			San Mateo County applicants can mail in their applications and/or apply online. Special accommodations can be made on an as needed basis.
Can applicants access services when unable to go to the office?	Yes			Applicants can apply online, over the phone, and online at https://www.mybenefits.calwin.org/ .
Does the county ensure the awareness of available services for individuals in remote areas?	Yes			Program and service information is available through posters, pamphlets, community outreach, radio announcements, and online. See link above.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13 – 6/11)?	Yes			All offices visited had the most recent version of the PUB 13.
Is the pamphlet distributed and explained to each client at intake and re-certification?	Yes			During case file reviews, workers documented the distribution and explanation of the PUB 13.
Is the current version of Pub 13 available in Arabic, Armenian Cambodian, Chinese, English, Farsi Hmong, Japanese, Korean, Lao	Yes			All offices visited had the most recent version of the PUB 13. Threshold languages

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Mien, Portuguese, Punjabi, Russian Spanish, Tagalog, Ukrainian, and Vietnamese?				available in the lobby. All languages were available behind the service counter upon request.
If the PUB 13 is not displayed in all the languages available, is there a poster that indicates that the Pub 13 is available in all 18 languages?	Yes			See comments above.
Was the Pub 13 available in large print (English and Spanish), CD, audiocassette and Braille?	Yes			Other versions of the PUB 13 were available behind the service counter upon request.
Were the current versions of the required posters present in the lobbies?	Yes			The most recent version of the required posters were available in each lobby.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	Yes			All offices visited had the required instructional and directional signs.

B. Corrective Actions

None

C. Recommendation

The county is required to use the latest version of each of the referenced documents. For your information, the most recent version for each of the above referenced documents is:

Pub 13	“Your Rights under California Welfare Programs”	06/11
Pub 86	“Everyone is Different, but Equal Under the Law”	03/07
Form AD 475B	“And Justice for All”	12/99

Contact the Civil Rights Bureau to receive the most recent versions, or download the Pub 13 from the CRB website

<http://www.cdss.ca.gov/civilrights/entres/forms/English/pub13.pdf>.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

A. Findings and Corrective Actions

1. Facility Location: 271 92nd St., Daly City, CA 94015

Facility Element	Findings	Corrective Action
Parking	No additional signage or additional language below the symbol of accessibility "Minimum Fine \$250."	Additional language or an additional sign below the International Symbol of Accessibility shall state "Minimum Fine \$250". (CA T24 11B-502.6.2) pg. 169

Facility Element	Findings	Corrective Action
Restroom	Men's Restroom:	
	Door pressure excessive at 11 lbs.	The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4) pg. 224
	Woman's Restroom:	
	Door pressure excessive at 12 lbs.	The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4) pg. 224

2. Facility Location: 1487 Huntington Ave., S. San Francisco, CA 94080

No physical findings at this location.

3. Facility Location: 400 Harbor Blvd Bldg B and Bldg C, Belmont, CA 94002

No physical findings at this location.

4. Facility Location: 2500 Middlefield Rd., Redwood City, CA 94063

Facility Element	Findings	Corrective Action
Parking	No additional signage or additional language below the symbol of accessibility "Minimum Fine \$250."	Additional language or an additional sign below the International Symbol of Accessibility shall state "Minimum Fine \$250". (CA T24 11B-502.6.2) pg. 169
Restroom	Men's Restroom:	
	Door pressure excessive at 13 lbs.	The force required to activate operable parts shall be 5 lbs. (CA T24 11B-309.4) (ADA 309.4) pg. 224
	Woman's Restroom:	
	Door pressure excessive at 11 lbs.	The force required to activate operable parts shall be 5 lbs.

Facility Element	Findings	Corrective Action
		(CA T24 11B-309.4) (ADA 309.4) pg. 224

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE ON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages if the forms and materials are provided by CDSS in that language, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	Yes			When necessary, first contact staff use a language identification card. San Mateo County also uses Language Preference Form C-261 to identify a person's primary language.

Question	Yes	No	Some-times	Comments
Does the county use a primary language form?	Yes			See comments above
Does the client self-declare on this form?	Yes			
Are non-English- or limited- English-speaking clients provided bilingual services?	Yes			While doing site visits, San Mateo County workers often had 2 phones at their desks to allow the participant to be on the phone while using the language line.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	Yes			If bilingual county staff is not immediately available, San Mateo County workers use the Language Line to ensure effective communication. Many case comments had evidence that the language line was used to ensure timely, effective communication.
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	Yes			See comments above.
Is there a delay in providing services?		No		There was no evidence that services were delayed.
Are county interpreters determined to be competent?	Yes			San Mateo County bilingual workers must be certified by the county.
Does the county have adequate interpreter services?	Yes			
Does the county allow minors to be interpreters? If so, under what circumstances?		No		Minors are not used to communicate with participants.

Question	Yes	No	Some- times	Comments
Does the county allow the client to provide his or her own interpreter?	Yes			Clients may use their own interpreter after free services have been offered to them..
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?		No		There was no evidence in the case files reviewed that a release of information is used
Does the county use the CDSS-translated forms in the clients' primary languages?			Someti mes	There were many notices of action sent out to clients not in their primary language.
Is the information that is to be inserted into NOA translated into the client's primary language?		No		Case files reviewed did not provide evidence that information inserted into Notices of Action were translated into the client's primary language.
If language to be inserted into NOA is not available, is there a procedure to ensure information translated to client's primary language?		No		See comments above.
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	Yes			Auxiliary aids and services are available at each office upon the participant's request.
Does the county identify a client with a disability (physical, mental, or	Yes			San Mateo County staff read the Universal Notification form C-50

Question	Yes	No	Some-times	Comments
learning)?				and Policy of Non-Discrimination on Basis of Disability form C-51 at screening.
Does the county provide reasonable accommodations to clients with a disability (physical, mental, or learning)?	Yes			San Mateo County provides reasonable accommodations to clients with a disability. For Visual or hearing impaired, large print and Braille materials, taped text and TDD's and other accommodation are available to individuals with disabilities in all offices if needed. The county also uses an Auxiliary Log to track auxiliary aid or services provided to our clients with disabilities.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	Yes			See comments above.
Does the county offer screening for learning disabilities?	Yes			Learning Needs screening is offered to all aided adults prior to any mandatory participation in WTW activities. All applicants/ participants have the option to opt out of such screenings.
Is there an established process for offering screening?	Yes			San Mateo County staff offer this screening to all WTW clients at the first WTW contact (i.e. WTW orientation/appraisal).
Is the client identified as having a learning disability referred for evaluation?	Yes			Yes, clients identified as having a learning disability are referred for evaluation. If the client has a score of 12 or more during the screening process, they are referred to VRS staff (VRS Counselor) for further evaluation (unless the client refuses).

B. Corrective Actions

Area of Findings	Corrective Actions
Notices of Action	When San Mateo County HSA uses translated forms and materials, such as notices of actions that contain spaces in which the county must insert information for the client, such information must be in the primary language of the client. Div. 21-115.2

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	CalWorks (Child Care)	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh	Fraud
Ethnic origin documentation	Language Preference Form C-261	Soc 295	Language Preference Form C-261	Language Preference Form C-261	Language Preference Form C-261
Primary language documentation	Language Preference Form C-261	Soc 295	Language Preference Form C-261	Language Preference Form C-261	Language Preference Form C-261
Method of providing bilingual services and documentation	Case narrative	Case narrative	Case narrative	Case narrative	Case narrative
Client provided own interpreter	None found	None found	None found	None found	None found

Documented Item	CalWorks (Child Care)	Adult Programs (IHSS & APS)	CalWORKs & Employment Services	Non-Assistance CalFresh	Fraud
Method to inform client of potential problem using own interpreter	None found	None found	None found	None found	None found
Release of information to Interpreter	None found	None found	None found	None found	None found
Individual's acceptance or refusal of written material offered in primary language	Language Preference Form C-261	Language Preference Form C-261	Language Preference Form C-261	Language Preference Form C-261	Language Preference Form C-261
Documentation of minor used as interpreter	Minors not used	Minors not used	Minors not used	Minors not used	Minors not used
Documentation of circumstances for using minor interpreter temporarily	Minors not used	Minors not used	Minors not used	Minors not used	Minors not used
Method of identifying client's disability	Case narrative	Case narrative	Case narrative	Case narrative	Case narrative
Method of providing reasonable accommodation to the client with disability	Case narrative	Case narrative	Case narrative	Case narrative	Case narrative

B. Corrective Actions

Areas of Action	Corrective Action
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation of primary language	Each agency shall ensure that case record identification shows the applicant's/recipients' ethnic origin and primary language. Div. 21-201.21
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	San Mateo County HSA must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

C. Observation

San Mateo County HSA does a good job in providing services to the public. During employee (case worker and manager) interviews, it is clear that San Mateo County workers do a good job in providing services to their applicants/recipients. The missing piece is the documentation that services are being provided. The county must properly

document each case file at significant contacts. More information can be found in ALL COUNTY LETTER NO. 08-65.

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	Yes			Staff trainings coincide with other county trainings provided annually.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	Yes			See comments above.
Does the county provide employees Cultural Awareness Training?	Yes			Cultural awareness training is provided with other annual trainings.
Do the CSW's have an understanding of Multi-Ethnic Placement Act (MEPA)?	Yes			See comments above.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	Yes			
Does the county provide training on how to interact with clients with disabilities (physical, mental &	Yes			All San Mateo County staff are trained to ensure all applicants/participants are treated equally.

Interview questions	Yes	No	Some-times	Comments
learning)?				

B. Corrective Actions

None

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	Yes			San Mateo County staff are trained to identify the difference between a program, discrimination, and a personnel complaint
Did the employees know who the Civil Rights Coordinator is?	Yes			San Mateo County staff new who Mr. Mario DeJesus is and how to reach him.
Did the employees know the location of the Civil Rights poster with information as to how and where the clients can file a discrimination complaint?	Yes			

Interview and review areas	Yes	No	Some-times	Findings
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	Yes			All Civil Rights complaints from San Mateo County have been closed.
Is the County utilizing correct correspondence to address the final results to the complainant after the investigation is completed?	Yes			

B. Corrective Action

None

IX. VENDOR CONTRACTS

Counties are required to ensure contracted services with contractors, vendors, consultants, and other providers of service, who receive state or federal assistance, include the assurance of compliance agreement.

A. Contracts Review

Number of Contracts Reviewed	8
Number of Contracts w/Assurance of Compliance Agreement	8

B. Corrective Action

None

X. CALL CENTER EVALUATION

County Call/Service Centers are evaluated to ensure services provided are nondiscriminatory toward non-English speaking clients and clients with a disability (physical, mental, or learning).

A. Findings from Call/Service Center site visit and interviews.

No call center was reviewed during this visit.

XI. COMMUNITY INPUT

As a part of this review, and as noted in Section II, feedback was sought from community and advocate groups. There was no response from advocates in the planning of the review.

XII. CIVIL RIGHTS COMPLIANCE PLAN REVIEW AND APPROVAL

The San Mateo County Human Services Agency Civil Rights Compliance Plan for the period January 1, 2016 through December 31, 2016, was received on June 1, 2016. It is approved as submitted.

XIII. CONCLUSION

The CDSS reviewer found the San Mateo County Human Services Agency staff warm, welcoming, informative and very supportive. Particular thanks to Mr. Mario deJesus, Civil Rights Coordinator, for organizing the details of the review. In each District Office, staff were very helpful with the facility reviews, case reviews, and computer assistance.

The CDSS found the San Mateo County Human Services Agency in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws. County staff continues to reflect a commitment similar to that expressed by management with respect to ensuring access, assistance, and compliance.

The San Mateo County Human Services Agency must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule of all actions that will be taken to correct the deficiencies, and an indication of who will be responsible for implementing the corrective action.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.